

**From:** Maier, Brent  
**To:** [Zito, Kelly](#)  
**Cc:** [Marincola, JamesPaul](#)  
**Subject:** Question: (Rosemont) : EPA Follow Up Information on Rosemont Copper Mine Project  
**Date:** Monday, December 09, 2013 11:34:00 AM  
**Importance:** High

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Kelly –

Does Jason's written response below to Nick Matiella's questions need to be vetted by Teddy, or can I go ahead and send once you have had a chance to review and make any needed revisions. Please let me know. Thanks.

*Brent Maier*  
Congressional Liaison  
U.S. Environmental Protection Agency, Region IX  
75 Hawthorne St. (OPA-3)  
San Francisco, CA 94105  
Ph: 415.947.4256

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**From:** Brush, Jason  
**Sent:** Monday, December 09, 2013 11:05 AM  
**To:** Maier, Brent  
**Cc:** Zito, Kelly; Goldmann, Elizabeth; Leidy, Robert  
**Subject:** RE: (Rosemont) : EPA Follow Up Information on Rosemont Copper Mine Project

Hi guys – Here's the response I would suggest:

(b) (5)

[Redacted content]

Jason A. Brush  
Supervisor, Wetlands Office  
U.S. Environmental Protection Agency, Region 9

75 Hawthorne Street (WTR-8)  
San Francisco, CA 94105

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desk: 415.972.3483  
fax: 415.947.3537  
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**From:** Maier, Brent  
**Sent:** Monday, December 09, 2013 10:44 AM  
**To:** Brush, Jason  
**Cc:** Zito, Kelly  
**Subject:** (Rosemont) : EPA Follow Up Information on Rosemont Copper Mine Project  
**Importance:** High

Jason –

I discussed with Kelly Zito this morning and she asked me to follow up with you to see if we could put together a short written response to respond to Nick Matiella's follow up inquiry regarding next steps for Rosemont if they wish to provide additional information to EPA as well as a request to lay out the timing for how this would work. (See Nick's bolded text I highlighted in red in message below).

*Brent Maier*  
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**From:** Matiella, Nick (McCain) [[mailto:Nick\\_Matiella@mccain.senate.gov](mailto:Nick_Matiella@mccain.senate.gov)]  
**Sent:** Friday, December 06, 2013 7:33 AM  
**To:** Maier, Brent  
**Cc:** Zito, Kelly; Yogi, David  
**Subject:** RE: EPA Follow Up Information on Rosemont Copper Mine Project

Thanks Brent. Will standby for next week. Thank you for your help.

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**From:** Maier, Brent [<mailto:Maier.Brent@epa.gov>]  
**Sent:** Thursday, December 05, 2013 5:39 PM  
**To:** Matiella, Nick (McCain)  
**Cc:** Zito, Kelly; Yogi, David; Maier, Brent  
**Subject:** RE: EPA Follow Up Information on Rosemont Copper Mine Project

Nick -

I am checking in with colleagues regarding your questions and will follow up with you once I hear back from them. I will be out of the office on Friday on annual leave, so I may not be able to follow up with you until Monday.. In my absence, David Yogi, will be backing me up on Friday and he can be reached at 415.972.3350.

Regards,

Brent

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**From:** Matiella, Nick (McCain) <[Nick\\_Matiella@mccain.senate.gov](mailto:Nick_Matiella@mccain.senate.gov)>  
**Sent:** Thursday, December 05, 2013 12:59 PM  
**To:** Maier, Brent  
**Cc:** Zito, Kelly; Yogi, David  
**Subject:** RE: EPA Follow Up Information on Rosemont Copper Mine Project

Thanks Brent. On November 23, it was reported in the Arizona press that EPA has determined that Rosemont's proposed 404 mitigation activities would be insufficient. **What's the next step for Rosemont if they want to rebut or provide additional information to EPA and USACE? Can you lay out the timing for how this would work?**

Nick Matiella  
Legislative Assistant  
U.S. Senator John McCain  
241 Russell Senate Office Bldg.  
Washington, DC 20510  
Tel. (202) 224-2238  
Fax. (202) 228-2862

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**From:** Maier, Brent [<mailto:Maier.Brent@epa.gov>]  
**Sent:** Tuesday, December 03, 2013 5:18 PM  
**To:** Matiella, Nick (McCain)  
**Cc:** Zito, Kelly; Yogi, David  
**Subject:** EPA Follow Up Information on Rosemont Copper Mine Project

Nick Matiella  
Office of Sen. John McCain

Nick -

As a follow up to your recent inquiry regarding Rosemont Mine, please find some information and links that you may find of interest.

### **Rosemont Copper Mine Project – December 3, 2013**

The Rosemont Copper Mine Project is a proposed copper mine operation on approximately 4,750 acres predominantly on Coronado National Forest lands southeast of Tucson, Arizona.

The United States Forest Service is the lead federal agency for preparing an Environmental Impact Statement (EIS) under the National Environmental Policy Act (NEPA). In February 2012, EPA rated the Draft EIS "EU-3 – Environmentally Unsatisfactory-Inadequate Information."

The Forest Service posted their Final EIS on the Rosemont project website on November 29, 2013.

<http://www.rosemonteis.us/final-eis>

For more information about the NEPA review process, a database of environmental impact statements prepared by federal agencies and EPA's comments concerning the EISs, see this link:

<http://www.epa.gov/compliance/nepa/>

The project will also require a Clean Water Act Section 404 permit issued by the U.S. Army Corps of Engineers. Please see these links for further information regarding EPA and USACE roles in the 404 permit process.

<http://water.epa.gov/type/wetlands/outreach/upload/404q.pdf>

<http://water.epa.gov/lawsregs/guidance/wetlands/dispmoa.cfm>

Please let me know if you have any questions or need any additional information.

Regards,

*Brent Maier*

Congressional Liaison

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